

IT IS ORDERED as set forth below:

Date: September 8, 2023



Wendy L. Hagenau

**Wendy L. Hagenau
U.S. Bankruptcy Court Judge**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE

BERNICE BETHANY SMITH,

Debtor.

ALLY BANK,

Movant,

v.

BERNICE BETHANY SMITH, Debtor;
and JORDAN E. LUBIN, Trustee,

Respondents.

CHAPTER 7

CASE NO. **23-56046-WLH**

CONTESTED MATTER

ORDER

This matter came on for hearing September 7, 2023, on the *Motion for Relief from Automatic Stay*(the "Motion") filed by Ally Bank (the "Movant"). Movant claims a security

interest in Debtor's vehicle: 2018 Ford Escape Utility 4D SE EcoBoost 1.5L I4 Turbo, VIN: 1FMCU0GD4JUC36828 (the "Collateral"). Movant, by counsel, filed a Certificate of Service and contends proper service of the Motion. Neither Debtor nor Chapter 7 Trustee opposed the Motion; accordingly, it is hereby

ORDERED that the automatic stay imposed under 11 U.S.C. Section 362 is modified to the extent necessary to allow Movant to recover and dispose of the Collateral in a commercially reasonable manner, to pay the expenses of disposition and the lawful claim of Movant, and to remit to Trustee any remaining sale proceeds; alternatively, if the disposition results in a deficiency, Movant may amend its claim filed in this case, subject to objection. The Court ORDERS that Rule 4001(a)(3) does not apply.

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PREPARED and PRESENTED BY:
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By: _____/s/
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